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|----------------|---------------------------|
| The Honorable: | Honorable Robert D. Drain |
| Chapter | 7 |
| Location: | Courtroom 118 |
| Hearing Date: | 09/23/2020 |
| Hearing Time: | 10:00am |
| Response Date: | 08/18/2020 |

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK
WHITE PLAINS DIVISION**

In re: RS OLD MILL, LLC

§ Case No. 17-22218-RDD

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§
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Debtor(s)

**NOTICE OF TRUSTEE'S FINAL REPORT AND
APPLICATIONS FOR COMPENSATION
AND DEADLINE TO OBJECT (NFR)**

Pursuant to Fed. R. Bankr. P.2002(a)(6) and 2002(f)(8), please take notice that Marianne T. O'Toole, trustee of the above styled estate, has filed a Final Report and the trustee and the trustee's professionals have filed final fee applications, which are summarized in the attached Summary of Trustee's Final Report and Applications for Compensation.

The complete Final Report and all applications for compensation are available for inspection at the Office of the Clerk, at the following address:

United States Bankruptcy Court
300 Quarropas Street
White Plains, NY 10601

Any person wishing to object to any fee application that has not already been approved or to the Interim Final Report, must file a written objection within 21 days from the mailing of this notice, together with a request for a hearing and serve a copy of both upon the trustee, any party whose application is being challenged and the United States Trustee. If no objections are filed, the Court will act on the fee applications and the trustee may pay dividends pursuant to FRBP 3009 without further order of the Court.

A PERSON SEEKING AN AWARD OF COMPENSATION OR REIMBURSEMENT OF EXPENSES SHALL FILE AN APPLICATION WITH THE CLERK AND SERVE A COPY ON THE TRUSTEE AND THE UNITED STATES TRUSTEE NOT LATER THAN 21 DAYS PRIOR TO THE DATE OF THE HEARING ON THE TRUSTEE'S FINAL ACCOUNT. FAILURE TO FILE AND SERVE SUCH AN APPLICATION WITHIN THAT TIME MAY

RESULT IN THE DISALLOWANCE OF FEES AND EXPENSES.

07/28/2020

By: /s/ Marianne T. O'Toole

Trustee

Marianne T. O'Toole
22 Valley Road
Katonah, NY 10536

The Honorable: Honorable Robert D. Drain
Chapter 7
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Debtor(s)

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**SUMMARY OF TRUSTEE'S FINAL REPORT
AND APPLICATIONS FOR COMPENSATION**

The Final Report shows receipts of \$ 2,846,854.51
and approved disbursements of \$ 0.00
leaving a balance on hand of ¹ \$ 2,846,854.51

Balance on hand: \$ 2,846,854.51

Claims of secured creditors will be paid as follows:

| Claim No. | Claimant | Claim Asserted | Allowed Amount of Claim | Interim Payments to Date | Proposed Payment |
|-----------|---|----------------|-------------------------|--------------------------|------------------|
| 3 | Novartis Corporation | 2,500,000.00 | 0.00 | 0.00 | 0.00 |
| 20S | CPIF Lending, LLC | 16,037,824.51 | 0.00 | 0.00 | 0.00 |
| 21S | Old Republic National Title Insurance Company | 2,500,000.00 | 0.00 | 0.00 | 0.00 |

Total to be paid to secured creditors: \$ 0.00

Remaining balance: \$ 2,846,854.51

¹ The balance of funds on hand in the estate may continue to earn interest until disbursed. The interest earned prior to disbursement will be distributed pro rata to creditors within each priority category. The trustee may receive additional compensation not to exceed the maximum compensation set forth under 11 U.S.C. § 326(a) on account of the disbursement of the additional interest.

Applications for chapter 7 fees and administrative expenses have been filed as follows:

| Reason/Applicant | Total Requested | Interim Payments to Date | Proposed Payment |
|--|-----------------|-----------------------------|---------------------|
| Trustee, Fees - Marianne T. O'Toole | 108,655.64 | 0.00 | 108,655.64 |
| Trustee, Expenses - Marianne T. O'Toole | 99.55 | 0.00 | 99.55 |
| Attorney for Trustee, Fees - LAMONICA HERBST & MANISCALCO, LLP | 193,116.50 | 0.00 | 193,116.50 |
| Attorney for Trustee, Expenses - LAMONICA HERBST & MANISCALCO, LLP | 1,683.74 | 0.00 | 1,683.74 |
| Accountant for Trustee, Fees - Prager Metis CPAs, LLC | 400.00 | 0.00 | 400.00 |
| Fees, United States Trustee | 1,625.00 | 0.00 | 1,625.00 |

Total to be paid for chapter 7 administration expenses: \$ 305,580.43
Remaining balance: \$ 2,541,274.08

Applications for prior chapter fees and administrative expenses have been filed as follows:

| Reason/Applicant | Total Requested | Interim Payments to Date | Proposed Payment |
|--|-----------------|-----------------------------|---------------------|
| Attorney for D-I-P Fees - Pick & Zabicki LLP (ADMINISTRATIVE) | 118,000.00 | 0.00 | 118,000.00 |
| Accountant for Trustee/D-I-P Fees - Frances M. Caruso (ADMINISTRATIVE) | 0.00 | 0.00 | 0.00 |
| Other Expenses: Continental Kosher Catering Inc. (ADMINISTRATIVE) | 0.00 | 0.00 | 0.00 |
| Other Expenses: Ell City LLC | 77,750.00 | 0.00 | 77,750.00 |
| Other Expenses: Lone Pine Associates, LLC (ADMINISTRATIVE) | 0.00 | 0.00 | 0.00 |
| Other Expenses: Suffern Partners LLC (ADMINISTRATIVE) | 0.00 | 0.00 | 0.00 |

Total to be paid for prior chapter administrative expenses: \$ 195,750.00
Remaining balance: \$ 2,345,524.08

In addition to the expenses of administration listed above as may be allowed by the Court, priority claims totaling \$0.00 must be paid in advance of any dividend to general (unsecured) creditors.

Allowed priority claims are:

| Claim No | Claimant | Allowed Amount of Claim | Interim Payments to Date | Proposed Payment |
|----------|---------------------|-------------------------|--------------------------|------------------|
| 18 | 99 Brookside Avenue | 0.00 | 0.00 | 0.00 |

Total to be paid for priority claims: \$ 0.00

Remaining balance: \$ 2,345,524.08

The actual distribution to wage claimants included above, if any, will be the proposed payment less applicable withholding taxes (which will be remitted to the appropriate taxing authorities).

Timely claims of general (unsecured) creditors totaling \$ 2,345,524.08 have been allowed and will be paid *pro rata* only after all allowed administrative and priority claims have been paid in full. The timely allowed general (unsecured) dividend is anticipated to be 100.0 percent, plus interest (if applicable).

Timely allowed general (unsecured) claims are as follows:

| Claim No | Claimant | Allowed Amount of Claim | Interim Payments to Date | Proposed Payment |
|----------|---|-------------------------|--------------------------|------------------|
| 1 | Mintz, Levin, Cohn, Ferris, Glovsky | 0.00 | 0.00 | 0.00 |
| 2 | AKRF CONSULTING SERVICES, INC. f/k/a AKRF, INC. | 38,446.47 | 0.00 | 38,446.47 |
| 4 | NYS LAND SERVICES, AN OPERATING DIV. OF | 0.00 | 0.00 | 0.00 |
| 5 | NYS LAND SERVICES, AN OPERATING DIV. OF | 0.00 | 0.00 | 0.00 |
| 6 | Ro-Ma-Ro LLC | 115,000.00 | 0.00 | 115,000.00 |
| 7 | M. David Graubard, Esq. | 4,531.30 | 0.00 | 4,531.30 |
| 8 | Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C | 201,083.46 | 0.00 | 201,083.46 |
| 14 | Ro-Ma-Ro LLC | 0.00 | 0.00 | 0.00 |
| 15 | Beauty Brag | 0.00 | 0.00 | 0.00 |
| 16 | Suffern Partners LLC (ADMINISTRATIVE) | 1,984,483.86 | 0.00 | 1,984,483.86 |
| 19 | LONE PINE ASSOCIATES , LLC | 1,978.99 | 0.00 | 1,978.99 |
| 20U | CPIF Lending, LLC | 0.00 | 0.00 | 0.00 |
| 21U | Old Republic National Title Insurance Company | 0.00 | 0.00 | 0.00 |

| | | | | |
|----|----------------------------------|------|------|------|
| 22 | Mark Frankel, Plan Administrator | 0.00 | 0.00 | 0.00 |
| 23 | Yehuda Salamon | 0.00 | 0.00 | 0.00 |
| 24 | RIVERSTONE USA LLC | 0.00 | 0.00 | 0.00 |
| 25 | Yehuda Salamon | 0.00 | 0.00 | 0.00 |
| 26 | RS Old Mill RD LLC | 0.00 | 0.00 | 0.00 |

Total to be paid for timely general unsecured claims: \$ 2,345,524.08

Remaining balance: \$ 0.00

Tardily filed claims of general (unsecured) creditors totaling \$ 0.00 have been allowed and will be paid *pro rata* only after all allowed administrative, priority and timely filed general (unsecured) claims have been paid in full. The tardily filed claim dividend is anticipated to be 0.0 percent, plus interest (if applicable).

Tardily filed general (unsecured) claims are as follows:

| Claim No | Claimant | Allowed Amount of Claim | Interim Payments to Date | Proposed Payment |
|----------|----------|-------------------------|--------------------------|------------------|
| None | | | | |

Total to be paid for tardy general unsecured claims: \$ 0.00

Remaining balance: \$ 0.00

Subordinated unsecured claims for fines, penalties, forfeitures, or damages and claims ordered subordinated by the Court totaling \$ 0.00 have been allowed and will be paid *pro rata* only after all allowed administrative, priority and general (unsecured) claims have been paid in full. The dividend for subordinated unsecured claims is anticipated to be 0.0 percent, plus interest (if applicable).

Subordinated unsecured claims for fines, penalties, forfeitures or damages and claims ordered subordinated by the Court are as follows:

| Claim No | Claimant | Allowed Amount of Claim | Interim Payments to Date | Proposed Payment |
|----------|----------|-------------------------|--------------------------|------------------|
| None | | | | |

Total to be paid for subordinated claims: \$ 0.00

Remaining balance: \$ 0.00

Prepared By: /s/Marianne T. O'Toole

Trustee

Marianne T. O'Toole
22 Valley Road
Katonah, NY 10536

STATEMENT: This Uniform Form is associated with an open bankruptcy case, therefore, Paperwork Reduction Act exemption 5 C.F.R. § 1320.4(a)(2) applies.